

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

In Re:

Case No. 20-09194

Frank Garcia, Jr.
Kathy H. Garcia

Chapter 13

Debtors.

Hon. Judge Jack B. Schmetterer

**AGREED ORDER ON MOTION TO MODIFY AUTOMATIC STAY FILED BY U.S.
BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF THE TIKI SERIES III
TRUST AS TO PROPERTY LOCATED AT 226 WHITEWOOD DRIVE,
STREAMWOOD, IL 60107**

This matter having come before the Court upon the Motion to Modify Automatic Stay filed herein by the secured creditor, U.S. Bank Trust National Association, as Trustee of the Tiki Series III Trust, ("Movant") and it appearing to the Court that parties have agreed to a course of action which will permit the continuation of the automatic stay and co-debtor stay conditioned upon certain provisions incorporated herein for the protection of Movant:

1. The Chapter 13 plan filed herein on behalf of the Debtors provided that said Debtors were to make regular monthly payments to Movant outside of the Plan in a regular monthly fashion regarding property located at 226 Whitewood Drive, Streamwood, IL 60107 ("Property").
2. In breach of the terms of said Plan, the debtors failed to make certain of the regular monthly payments to Movant; said payments are currently in default for the month of August 2020 in the amount of \$938.52 as well as fees and costs of \$1,231.00 for a total of \$2,169.27 which includes a suspense balance of \$0.25.
3. In order to eliminate said post-petition delinquency, the Debtors hereby agree to pay Movant and Movant hereby agrees to accept in the form of certified funds the following lump sum payments:
 - a. \$361.55 on or before September 15, 2020
 - b. \$361.55 on or before October 15, 2020
 - c. \$361.55 on or before November 15, 2020
 - d. \$361.55 on or before December 15, 2020
 - e. \$361.55 on or before January 15, 2021
 - f. \$361.52 on or before February 15, 2021
4. These lump sum payments are in addition to the regular monthly payment in the amount of \$938.52. The next monthly payment will be due September 1, 2020.

5. All payments, stipulated and ongoing monthly payments, are to include the Debtors' account number and should be sent to:

BSI Financial Services
314 S. Franklin Street
Titusville, PA 16354

6. In the event that said Debtors should fail to make a total of two (2) stipulated payments herein described on or before their specified due dates, or should the Debtors fail to pay any two (2) future post-petition monthly payment so that said payment is not received by Movant by the day upon which it is contractually due, then, or in either of those events, Movant shall give fourteen (14) days' notice to Debtors' counsel and to the Debtors; and thereafter Movant shall file a Notice of Stay Modification with the Court and upon submission of said notice, without further hearing, the stay shall be automatically terminated providing Movant with relief from stay.

DATED: ENTER

Hon. Judge Jack B. Schmetterer
United States Bankruptcy Judge

/s/ Molly Slutsky Simons

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